



E.O.T 2153
18

PATENT
ATTORNEY DOCKET NO.: 052401-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert D. EDWARDS et al.) Confirmation No. 6553
Application No.: 09/671,350) Group Art Unit: 2153
Filed: September 27, 2000) Examiner: J. R. BRANCOLINI
For: METHOD AND APPARATUS)
FOR DELIVERY OF DATA)
OVER A NETWORK)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Non-Fee Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

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APR 08 2004

Technology Center 2100

Sir:

AMENDMENT & RESPONSE TRANSMITTAL FORM

04/13/2004 MMIDDLE1 0000001 500310 09671350
1. Transmitted herewith is an Amendment responding to the Office Action dated
December 4, 2003.

01 FC:1251 110.00 DA

2. Additional papers enclosed:

- Drawings: Formal Informal (Correction)
- Information Disclosure Statement
- Form PTO-1449, 2 references included
- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	33	minus	30	3	x \$18 each=	+ \$54.00
Independent Claims (37 C.F.R. §1.16(b))	5	minus	4	0	x \$86 each=	+ \$ 86.00
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$ 0.00
SUB-TOTAL =						\$140.00
Reduction by ½ for filing by a small entity						- \$ 70.00
TOTAL FEE =						\$ 70.00

6. Fee Payment

No fee is to be paid at this time.

Please charge Deposit Account No. 50-0310 the total of \$305.00 (including \$180.00 for Information Disclosure Statement, \$55.00 for one-month extension of time and \$70.00 for excess claims at small entity rate). The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



James L. Reed

Registration No. 43,877

Dated: April 5, 2004

CUSTOMER NO. 09629

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$55.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).